GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Legal Metrology - Department – Allegation of corruption against Sri B.Ramachandraiah, Inspector, Legal Metrology, Inspector LM, FS Unit-I Hyderabad – Trapped by the ACB –Review of dismissal by the Government – Re-instatement into service by revoking his dismissal Pending initiation of disciplinary proceedings against the individual – Orders – Issued.

CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES (VS) DEPARTMENT

G.O.RT.No. 50 Dated: 20-10-2016

Read the following:-

1. G.O.Ms.No.113 of Consumer Affairs Food and Civil Supplies (Vs) Department Dated 6-7-2005
2. From the Spl. Judge SPE & ACB cases, Visakhapatnam in CC No.17/2006, Dated: 15-11-2011.
3. G.O.Ms.No.6 of Consumer Affairs Food and Civil Supplies (Vs) Department Dt.18-01-2012
4. Lr.No.313/RCO-WVP/2002-S11,Dt. 07-04-2005,from the DG, ACB, Hyderabad.
5. Copy of the Judgment in Crl.A.No.1326/2011 Dated 13-7-2015 of the Hon'ble High Court of AP & Telangana
6. Representation, dated:04-08-2015 from Sri B. Ramachandaiah, Inspector (Dismissed from the Service), Legal Metrology Dept., Hyderabad.
7. APAT Order in OS No. 2754/2016, Dated 18-07-2016.
8. Representation, dated:23-07-2016 from Sri B. Ramachandaiah, Inspector (Dismissed from the Service), Legal Metrology Dept., Hyderabad.

ORDER:

The Director General, ACB., A.P. Hyderabad on credible information that Sri B.Ramachandraiah, Inspector LM, FS Unit-I Hyderabad and 2 others were collecting yearly mamools from the traders of Petrol Bunks Steel Shops , Kirana Ships etc., at Visakhapatnam District in the monthly inspections over petrol pumps, Textile Shops , Steel shops, etc ffom 25-10-2002 to 29-10-2002. On the surprise check of ACB Visakhapatnam an unaccounted cash of Rs.2 lakhs was seized from their possession on 29-10-2002 a case was registered on 30-10-2002 against the above said officials under Cr.No. 25/RCO/WLR/2002 u/s. 41 and 102 Cr.P.C. R/w. 13(1)(d) and © of P.C. Act 1988 and investigated into by this bureau and sent final report to the Government and recommended to prosecute the AO in the court of law.

2. Where as vide reference 1st read above sanction was accorded for prosecution of Sri B.Ramachandraiah, Inspector, Legal Metrology for the offences punishable u/s. 41, 102 Cr.P.C. r/w. Sec, 13 (1) (d) and (e) of prevention of Corruption Act, 1988.

3. Where as vide reference 2nd read above, Sri. B.Ramachandraiah is convicted and sentences to under go simple imprisonment for one year and to pay fine of Rs.2000/- in default of payment of fine to suffer simple imprisonment for six months for the offence U/s. 13 (1) (d) r/w. Sec. 13 (2) of prevention of Corruption Act, 1988 r/w.Section 34 IPC.

4. And whereas, it is considered that the conduct of the said, Sri B.Ramachandraiah, Inspector, Flying Squad Unit, Hyderabad which has led to his conviction on criminal charges is such, as to render his further retention in public service undesirable. On that Government have decided to impose a major penalty of dismissal from the Government Service, on Sri B.Ramachandraiah as he was found guilty of the charges and convicted by the Spl. Judge for ACB cases ,

Visakahapatnam in CC No.17/2006 Dated 15-11-2011. The Government in exercises of power conferred under clause (x) of Rule 9 R/w sub rule (1) of Rule 25 of APCS (CCA) r/w. G.O.Ms.No.2, GA(Services-C) Department , Date 4-1-1999, Sri B.Ramchandraiah, Inspector, Legal Metrology Department was dismissed from Government service with immediate effect as he was found guilty of the charges and convicted by the Spl Judge for ACB cases, Visakhapatnam in CC No. 17/2006 dated 15-11-2011 vide G.O.Ms.No.6 Consumer Affairs Food & Civil Supplies (VS) Department, Dated 18-01-2012.

5. Where as in reference 5th read above, Sri B.Ramachnadraiah, filed Crl. Appeal No. 1326/2011 on 23-11-2011 in High court of AP against the judgment dated 15-11-2011 in CC No.17/ 2006 on the file of court to special judge for ACB cases, Visakhapatnam. The High Court allowed the said appeal by setting aside the conviction and sentence passed against AO B.Ramachnadraiah, Inspector, Legal Metrology

6. Keeping in view of the allowing the Crl. Appeal 1326/2011 and setting aside the conviction by the Hon'ble High Court in its order Dt. 13-7-2015, the AO Ramachandraiah, has represented that to reinstate him into Government Service with all consequential benefits at the earliest in the interest of Justice vide representation dated 4-8-2015.

7. The DG. ACB., A.P., Hyderabad in his letter dated 22-4-2016 has opinioned that there are no grounds to prefer SLP before Apex Court against High Court Orders. Hence, It is requested to initiate Departmental Action against AO B.Ramachnadraiah, Inspector, Legal Metrology, FS Unit-I, Hyderabad and requested to Government to issue orders in the matter and communicate to the Bureau at an early date.

8 . Where as in the reference 7th read above, Sri B.Ramachandraiah, the then Inspector, legal metrology has filed OA No. 2754/2016 in the A.P. Administrative Tribunal , Hyderabad with a plea to reinstate him as Inspector of Legal Metrology with all service and monetary benefits. The Hon''ble APAT has directed to pass necessary orders as per rules on the representation dated 4-8-2015 of the applicant on this subject matter within a period of six weeks from the date of receipt of copy of this order, Accordingly the applicant while enclosing a copy of the order and requested to reinstatement into Government service with all consequential benefits.

9. Government after careful examination of the entire issue and after consulting advisory body, have decided to reinstate Sri B. Ramachandraiah, Inspector of Legal Metrology (dismissed from the service) into Government service with immediate effect pending initiation of disciplinary proceedings against the applicant. Accordingly, Government hereby reinstates Sri B. Ramachandraiah, Inspector of Legal Metrology into Government Service with immediate effect pending initiation of disciplinary proceedings against him.

10. The Controller of Legal Metrology, Andhra Pradesh shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.RAJSEKHAR
E.O.SECRETARY TO GOVERNMENT

To
The individual concerned through the Controller of Legal Metrology,
Gunadala, Vijayawada.
The Director General ACB., A.P., Hyderabad
The Controller, Legal Metrology , A.P., Hyderabad
The Secretary APVC, Hyderabad
Copy to:
CCS., Govt. of A.P., Hyderabad.
SF/SC